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THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

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KOSHER EATS LLC, a Florida limited liability company, EMERALD CONSULTING PARTNERS LLC, a Florida limited liability company, ABBSON LLC, a New York limited liability company, MSC COMPANIES, LLC, a Utah limited liability company, and HOMEPEOPLE CORPORATION, a New York corporation,

Plaintiffs,

v.

TORBEN WELCH, an individual, et al.,

Defendants.

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**JUDGMENT IN A CIVIL CASE**

Case No. 2:24-cv-00520-DBB-DBP

Judge David Barlow

Magistrate Judge Dustin B. Pead

IT IS ORDERED AND ADJUDGED:

The Messner Individuals' motion to dismiss<sup>1</sup> is GRANTED. The "Messner General Partnership's" motion to dismiss<sup>2</sup> is GRANTED. Messner Reeves, LLP's, the Messner Partners', and Mr. Brigham's motion to dismiss<sup>3</sup> is GRANTED IN PART. Mr. Welch's motion to dismiss<sup>4</sup> is GRANTED IN PART. Defendants' motion for Rule 11 sanctions<sup>5</sup> is GRANTED.

Counts One and Two are DISMISSED with prejudice. The remaining counts are DISMISSED with prejudice as to all Defendants other than Messner Reeves, LLP, Mr. Welch, and Mr. Brigham.

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<sup>1</sup> ECF No. 170.

<sup>2</sup> ECF No. 177.

<sup>3</sup> ECF No. 171.

<sup>4</sup> ECF No. 182.

<sup>5</sup> ECF No. 179.

The court retains jurisdiction only over the amount of sanctions. The court declines to exercise jurisdiction over the remaining state law claims and DISMISSES them without prejudice as to Messner Reeves, LLP, Mr. Welch, and Mr. Brigham. The Clerk of Court is directed to close the case.

Signed May 6, 2025.

BY THE COURT

A handwritten signature in black ink, appearing to read 'David Barlow', written over a horizontal line.

David Barlow  
United States District Judge